

Senate Engrossed House Bill

FILED

MICHELE REAGAN

SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-third Legislature
First Regular Session
2017

CHAPTER 232

HOUSE BILL 2366

AN ACT

AMENDING SECTION 42-12152, ARIZONA REVISED STATUTES; RELATING TO PROPERTY CLASSIFICATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 42-12152, Arizona Revised Statutes, is amended
3 to read:

4 42-12152. Criteria for classification of property used for
5 agricultural purposes

6 A. Property is not eligible for classification as property used for
7 agricultural purposes unless it meets the following criteria:

8 1. The primary use of the property is as agricultural land and the
9 property has been in active production according to generally accepted
10 agricultural practices for at least three of the last five years.
11 Property that has been in active production may be:

12 (a) Inactive for a period of not more than twelve months as a
13 result of acts of God.

14 (b) Inactive as a result of participation in:

15 (i) A federal farm program that allows voluntary land conserving
16 use acreage or acreage conservation, or both.

17 (ii) A scheduled crop rotation program.

18 (c) Inactive or partially inactive due to a temporary reduction in
19 or transfer of the available water supply or irrigation district water
20 allotments for agriculture use in the farm unit. FOR LAND WITHIN AN
21 IRRIGATION DISTRICT IN A COUNTY WITH A POPULATION OF LESS THAN NINE
22 HUNDRED THOUSAND PERSONS, THE TEMPORARY REDUCTION OR TRANSFER MAY BE
23 VERIFIED BY AN OFFICIAL CERTIFICATION FROM THE IRRIGATION DISTRICT TO THE
24 COUNTY ASSESSOR THAT CONFIRMS THE REDUCTION OR TRANSFER, EXCEPT THAT IF
25 THAT LAND IS LOCATED IN AN ACTIVE MANAGEMENT AREA AND THE LAND DOES NOT
26 HAVE AN IRRIGATION GRANDFATHERED GROUNDWATER RIGHT, THE LAND IS NOT
27 ELIGIBLE AS CROPLAND. A CERTIFICATION FOR PARTIAL REDUCTION IS NOT VALID
28 FOR FULL INACTIVITY OF THE FARM UNIT FOR MORE THAN ONE YEAR.

29 (d) Grazing land that is inactive or partially inactive due to
30 reduced carrying capacity or generally accepted range management
31 practices.

32 2. There is a reasonable expectation of operating profit, exclusive
33 of land cost, from the agricultural use of the property.

34 3. If the property consists of noncontiguous parcels, the
35 noncontiguous parcels must be managed and operated on a unitary basis and
36 each parcel must make a functional contribution to the agricultural use of
37 the property.

38 B. If feedlot or dairy operations that are in active production are
39 moved to another property at which the operations are in active
40 production, the requirement that the property be in active production for
41 at least three of the last five years does not apply to the property to
42 which the operations are moved for the first three years after the
43 operations are moved.

1 C. The requirement contained in subsection A, paragraph 2 of this
2 section shall be satisfied if the owner files with the assessor an
3 affidavit of agricultural use, signed by the owner attesting that all
4 information in the affidavit is true and the property is actively
5 producing with an expectation of profit.

APPROVED BY THE GOVERNOR MAY 1, 2017.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 1, 2017.

Passed the House February 22, 20 17

Passed the Senate April 20, 20 17

by the following vote: 59 Ayes,

by the following vote: 30 Ayes,

0 Nays, 1 Not Voting

0 Nays, 0 Not Voting

[Signature]
Speaker of the House

☐ Pro Tempore

[Signature]
Chief Clerk of the House

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill received by the Governor this

_____ day of _____, 20____

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

at _____ o'clock _____ M.

Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill received by the Secretary of State

this _____ day of _____, 20____

at _____ o'clock _____ M.

Secretary of State

H.B. 2366

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 25, 2017,

by the following vote: 57 Ayes,

0 Nays, 2 Not Voting 1 Vacant


Speaker of the House


Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

25th day of April, 2017

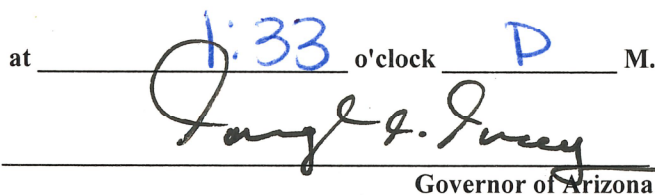
at 12:09 o'clock P. M.


Secretary to the Governor

Approved this 1st day of

May, 2017,

at 1:33 o'clock P M.


Governor of Arizona

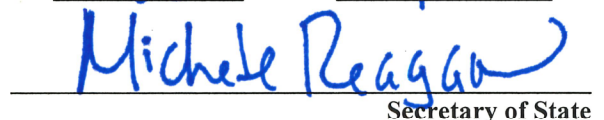
H.B. 2366

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 1 day of May, 2017,

at 7:03 o'clock P M.


Secretary of State